



U.S. House of Representatives
Committee on Transportation and Infrastructure

James L. Oberstar
Chairman

Washington, DC 20515

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Ranking Republican Member

February 13, 2009

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The Honorable Ray H. LaHood
Secretary
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

Dear Secretary LaHood:

When Congress reauthorized the surface transportation program in 2005, Congress increased funding for the Hazardous Materials Emergency Preparedness ("HMEP") grant program from \$14.3 million to \$28.8 million. The HMEP grant program helps States, local governments, and Indian tribes develop, improve, and implement emergency plans; train fire fighters and other emergency response personnel to respond to accidents and incidents involving hazardous materials; determine flow patterns of hazardous materials within a State and between States; and determine the need within a State for equipment and for regional hazardous materials emergency response teams.

The HMEP grant program is fully funded through registration fees paid by persons who offer for transportation or transport certain hazardous materials in intrastate, interstate, or foreign commerce, in accordance with section 5108 of title 49, United States Code. The current amounts of the registration fees, however, are not enough to cover the higher authorization levels provided for the HMEP grant program in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA-LU") (P.L. 109-59). It was the understanding of Congress that the Pipeline and Hazardous Materials Safety Administration would increase the registration fees to finance the higher authorizations. This did not occur and, as a result, only \$19 million is available for fiscal year 2009, a shortfall of \$9.3 million. As a result, hundreds of thousands of emergency response personnel will not receive adequate training for responding to serious releases of hazardous materials in fiscal year 2009.

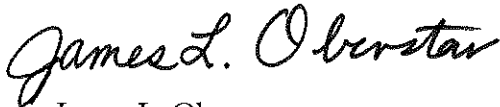
According to the Department of Transportation's estimates, there are over two million emergency responders requiring initial training or periodic recertification training, including 250 paid firefighters, 850,000 volunteer firefighters, 725,000 law enforcement officers, and 500,000 emergency medical services providers. Given the fact that more than 1.2 million shipments of hazardous materials are transported throughout the United States on a daily basis, it is crucial that

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emergency response personnel are able to effectively and safely respond to hazardous materials accidents and incidents. Without adequate funding for the HMEP grant program, that will not happen and the lives of the general public will be seriously jeopardized.

We urge you to act quickly to increase fees in order to ensure that the program is funded at the authorized levels contained in SAFETEA-LU.

Sincerely,



James L. Oberstar
Chairman
Committee on Transportation
and Infrastructure



Corrine Brown
Chair
Subcommittee on Railroads, Pipelines,
and Hazardous Materials